

## **CITY OF HOLLISTER CITY COUNCIL**

### **Minutes of Regular Meeting**

August 15, 2005

#### **CALL TO ORDER:**

The regular meeting of the City Council of the City of Hollister was called to order by Mayor Valdivia on August 15, 2005, at 6:03 p.m. in the City Council Chambers at City Hall.

#### **ROLL CALL:** Roll was answered as follows:

PRESENT: Mayor Pauline Valdivia, City Council Members Brad Pike, Doug Emerson, and Robert Scattini, City Manager Clint Quilter, City Attorney Elaine Cass, and City Clerk Geri Johnson.

ABSENT: Council Member Monica Johnson.

#### **VERIFICATION OF AGENDA POSTING:**

The Agenda for the City Council of the City of Hollister meeting of August 15, 2005, was posted on the bulletin board at City Hall on August 12, 2005, at 9:00 a.m. per Government Code Section 54954.2.

#### **CLOSED SESSION AGENDA:**

A. Public comment for Closed Session agenda.

None.

B. Mayor Valdivia announced that the City Council of the City of Hollister would meet in Closed Session to discuss all or some of the following matters:

1. Conference with Legal Counsel - Anticipated Litigation - Significant Exposure to Litigation pursuant to Government Code Section 54956.9(b) - (3 potential cases will be discussed)
2. Conference with Legal Counsel - Anticipated Litigation - Initiation of Litigation pursuant to Government Code Section 54956.9(c) - (2 potential cases will be

discussed)

3. Conference with Legal Counsel - Pending Litigation - pursuant to Government Code Section 54956.9(a)
  1. RWQCB - Cease and Desist Order No. R3-2002-0105
  2. City of Hollister v. Monterey Insurance Company, California Capital Insurance Company, Case Number M65916
  3. Nicholson v. Hollister, Case Number CU-04-00063
  4. Borges et al v. Hollister, Case Number CV030139
4. Conference with Labor Negotiator pursuant to Government Code Section 54957.6:  
  
Agency Negotiator: Clint Quilter  
Employee Organizations: Service Employees International Union, Local 817; Hollister Firefighters Union - Local 3395; Hollister Peace Officers Association; Hollister Mid-Management Association; and un-represented employees in classifications designated as Executive Management and Confidential
5. Personnel - City Manager Evaluation.

Council Member Scattini moved to recess to Closed Session at 6:04 p.m. to discuss the items listed above. Motion seconded by Council Member Emerson and carried by a 4-0-1 vote, Council Member Johnson absent.

The City Council reconvened at 6:48 p.m.

## **PLEDGE OF ALLEGIANCE**

**ROLL CALL:** Roll was answered as follows:

**PRESENT:** Mayor Pauline Valdivia, City Council Members Brad Pike, Doug Emerson, and Robert Scattini, City Manager Clint Quilter, City Attorney Elaine Cass, and City Clerk Geri Johnson

**ABSENT:** Council Member Monica Johnson.

**STAFF PRESENT:** Community Services Director Clay Lee, Interim Deputy Public Works Director Steve Wittry, Assistant Civil Engineer Matt Kelley, Airport Manager Bill Gere, Administrative Services Director Robert Galvan, Police Chief Jeff Miller, Fire Chief Bill Garringer, and RDA Project Coordinator Bryan Briggs.

**VERIFICATION OF AGENDA POSTING:**

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**PRESENTATION:**

Received information on the West Nile Virus from Kathy Flores, Director, San Benito County Health and Human Services Agency, and her staff. They urged the public to contact the San Benito County Health Department at 831-637-5367 for more information and to take efforts to protect individuals and families and eliminate standing water. Also call the Ag Commissioner's office at 637-5344 or the Environmental Health Department at 636-4035.

**CLOSED SESSION:**

City Attorney Cass announced that the City Council of the City of Hollister had discussed the following in Closed Session:

1. Personnel - City manager Evaluation.

**A. CONSENT RESOLUTION (August 15, 2005):**

1. Minutes of Special Meetings of July 25 and July 30, 2005 and Minutes of Regular Meeting of August 1, 2005.
  - (1) Approved the Minutes of the Special Meetings of July 25, and July 30, 2005 and Minutes of the Regular Meeting of August 1, 2005, as submitted.
2. Warrant Registers.
  - (a) Received transmittals, Warrant Register, from Administrative Services Director Galvan.
  - (1) Ratified and approved Warrant Registers dated :
    - July 25, 2005 in the amount of \$547,281.13
    - August 1, 2005 in the amount of \$521,685.30
    - August 5, 2005 in the amount of \$27,447.00
4. Resolution No. 2005-122, A RESOLUTION OF THE CITY COUNCIL OF THE

**CITY OF HOLLISTER APPROVING AN AGREEMENT WITH THE LAW OFFICES OF ROBERT WELLINGTON FOR PROFESSIONAL SERVICES.**

- (1) Received transmittal dated August 8, 2005, A Resolution of the City Council of the City of Hollister Approving an Agreement with the Law Offices of Robert Wellington for Professional Services, from City Attorney Cass.
- (2) Adopted Resolution No. 2005-122, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING AN AGREEMENT WITH THE LAW OFFICES OF ROBERT WELLINGTON FOR PROFESSIONAL SERVICES.

Council Member Scattini moved to adopt the Consent Resolution (August 15, 2005) as stated above. Motion seconded by Council Member Emerson and carried by a 4-0-1 vote, Council Member Johnson absent.

**ITEMS PULLED FROM CONSENT RESOLUTION (August 15, 2005):**

3. Resolution No. 2005-121, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER ADOPTING AN ITEMIZED REPORT OF THE COST OF ABATEMENT OF WEEDS AND DEBRIS ON DESIGNATED PROPERTIES IN THE CITY OF HOLLISTER.
  - (1) Received transmittal dated August 4, 2005, A Resolution adopting an itemized report of the cost of abatement of weeds and debris on designated properties in the City of Hollister, from Fire Chief Garringer.
  - (2) Council Member Scattini moved to adopt Resolution No. 2005-121, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER ADOPTING AN ITEMIZED REPORT OF THE COST OF ABATEMENT OF WEEDS AND DEBRIS ON DESIGNATED PROPERTIES IN THE CITY OF HOLLISTER. Motion seconded by Council Member Emerson and carried by a 4-0-1 vote, Council Member Johnson absent.

**B. PETITIONS, REMONSTRANCES, AND COMMUNICATIONS:**

1. Public Input.
  - (1) Laurette Chandler, Hollister, CA thanked the City Council and the past City Council for listening to the Clearview Drive residents. They are all very thankful for the speed bumps between Meridian Street and Hillcrest Road. The permanent speed bumps were installed the week before the 4th of July

and the neighbors are very happy that they have their community back to the way it was.

**C. PUBLIC HEARINGS: (on or about 7:00 P.M.)**

None.

**D. INTRODUCTION AND ADOPTION OF RESOLUTIONS AND ORDINANCES:**

1. Resolution No. 2005-123, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING THE PROFESSIONAL SERVICES CONTRACT FOR PROPERTY LINE STAKING FOR THE AIRPORT PERIMETER FENCE PHASE 2 PROJECT WITH SAN BENITO ENGINEERING AND SURVEYING, INC.
  - (3) Received transmittal dated August 4, 2005, A Resolution of the City Council of the City of Hollister Approving the Professional Services Contract for Property Line Staking for the Airport Perimeter Fence Phase 2 Project with San Benito Engineering and Surveying, Inc. from Assistant Civil Engineer Kelley.
  - (4) Council Member Emerson moved to adopt Resolution No. 2005-123, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING THE PROFESSIONAL SERVICES CONTRACT FOR PROPERTY LINE STAKING FOR THE AIRPORT PERIMETER FENCE PHASE 2 PROJECT WITH SAN BENITO ENGINEERING AND SURVEYING, INC. Motion seconded by Council Member Scattini and carried by a 4-0-1 vote, Council Member Johnson absent.
2. Resolution No. 2005-124, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING CONSIDERATION FOR MOU BETWEEN THE CITY AND COUNTY FOR THE USE OF THE VETERANS' MEMORIAL BUILDING DURING A PUBLIC HEALTH EMERGENCY FOR THE MASS DISTRIBUTION OF VACCINES AND/OR MEDICATIONS.
  - (1) Received transmittal dated August 10, 2005, Adopt Resolution authorizing execution of Agreement with San Benito County for use of facilities during a public health emergency, from City Manager Quilter.
  - (2) Council Member Pike moved to adopt Resolution No. 2005-124, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING CONSIDERATION FOR MOU BETWEEN THE CITY AND COUNTY FOR THE USE OF THE VETERANS' MEMORIAL BUILDING

DURING A PUBLIC HEALTH EMERGENCY FOR THE MASS DISTRIBUTION OF VACCINES AND/OR MEDICATIONS. Motion seconded by Council Member Emerson and carried by a 4-0-1 vote, Council Member Johnson absent.

3. Resolution No. 2005-125, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING AN AGREEMENT BETWEEN THE SAN BENITO COUNTY MEASURE A AUTHORITY AND THE CITY OF HOLLISTER RELATING TO THE SANTA ANA CREEK DRAINAGE OUTFALL PROJECT.
  - (1) Received transmittal dated August 8, 2005, A Resolution of the City Council of the City of Hollister approving an Agreement between the San Benito County measure A Authority and the City of Hollister Relating to the Santa Ana Creek Drainage Outfall Project, from Interim Engineering Manager Wittry.
  - (2) Council Member Scattini moved to adopt Resolution No. 2005-125, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING AN AGREEMENT BETWEEN THE SAN BENITO COUNTY MEASURE A AUTHORITY AND THE CITY OF HOLLISTER RELATING TO THE SANTA ANA CREEK DRAINAGE OUTFALL PROJECT. Motion seconded by Council Member Emerson and carried by a 4-0-1 vote, Council Member Johnson absent.

**E. REPORTS OF CITY COUNCIL, OFFICERS, BOARDS, AND COMMITTEES:**

1. Reports from City Council Committees.
  - (1) Council Member Emerson reported that the Homeless Task Force met last Friday and had a booth at the Farmer's Market where they ask for volunteers. The Task Force is still looking for volunteers and will soon start their donation drive.
2. Reports from City Council, City Manager, City Attorney, and Staff.
  - (1) City Manager Quilter - announced the meeting schedule as follows: August 29 - Airport Work Plan study session/special meeting starting at 6:30 p.m. with the Council meeting in closed session at 5:30 p.m.  
September 6 - Regular City Council Meeting  
September 12 - City Council study session/special meeting to discuss the purchasing policy.  
City Manager Quilter also gave an information update on the water and

wastewater issues.

- (2) City Attorney Cass - announced that she will be on vacation during the month of September and Robert Wellington and George Thatcher will provide legal services to the City.
- (c) City Clerk Johnson - thanked everyone for attending the Relay for Life held on August 5 & 6 and the Street Festival held on August 13 and thanked City staff who assisted with both community events.
- (d) City Council Member Pike, District 1 - met with the Hollister Downtown Association; received phone calls regarding the street rehabilitation program and people are very pleased; believes we need speed control around schools and parks, met with the Health Department regarding anti-smoking campaign; attended the annual Street Festival on Saturday and worked in the booth for the Leadership San Benito program; and is looking forward to the League of California Cities annual conference.
- (e) City Council Member Emerson, District 4 -
- (f) City Council Member Johnson, District 5 - attended the new teachers academy at San Benito High School and he will be in the next Leadership San Benito class. Mr. Emerson requested reports from the Hollister Independence Rally Committee and the Police Department regarding the motorcycle rally held in July.

City Manager Quilter reported that the reports will be presented to the City Council in September.

- (g) City Council Member Scattini, District 2 - congratulated Brad for finishing the Leadership class; congratulated Doug for starting the next class; commented that the road rehabilitation project is great but there is a need for radar for speed control; and congratulated Mark Paxton on his new position as editor of the Pinnacle newspaper.

Chief of Police Miller stated that the radar units are in the patrol cars and are being used.

- (h) Mayor Valdivia, District 3 - is also looking forward to receiving the HIRC report and thanked Geri for her work on the Street Festival.

3. Designation of voting delegate and alternate for the League of California Cities Annual Conference.

- (1) Received transmittal dated July 19, 2005, Designation of Voting Delegate and Alternate for League of California Cities Annual Conference, from City Clerk Johnson.
- (2) City Council consensus for Council Member Scattini to be the voting delegate and Council Member Pike to be the voting alternate for the League of California Cities Annual Conference to be held in San Francisco from October 5-8.

4. Ratify appointment to the Planning Commission representing District 2.

- (1) Received transmittal dated August 5, 2005, Ratify Appointment to the Planning Commission representing District 2, from City Clerk Johnson.
- (2) Council Member Scattini appointed Christopher Alvarez to represent District 2 on the Planning Commission.
- (3) Council Member Pike moved to ratify the appointment of Christopher Alvarez to the Planning Commission. Motion seconded by Council Member Emerson and carried by a 4-0-1 vote, Council Member Johnson absent.

5. Economic Development Work Plan.

- (1) Received transmittal dated August 4, 2005, Economic Development Work Plan, from Interim Development Services Director Avera.
- (2) Received oral report regarding the work plan City Manager Quilter.
- (3) Marilyn Ferreira, Hollister, CA said it is a pleasure to see the cohesiveness of the City Council. She would like to see someone to follow through with the sewer issue and hire someone to address the entire project as there are needs here to be filled. Her concern is for first time home buyers, people who work here, and our senior citizens.
- (4) City Council consensus to move forward with the recruitment of an economic recruiter by having the job description and salary on the agenda for the City Council meeting of September 6.

6. Receive status report on Hollister Municipal Airport.

- (1) Received oral report from Airport Manager Gere.
- (2) Airport Manager Gere will discuss the Airport Work Plan at the Special City Council meeting on August 29 including the scope of goals, projects, the end results and how they will benefit the community, and the time lines involved.
- (3) Information only; no City Council action taken.

7. City Council Revenue Sub-Committee.

- (1) Mayor Valdivia continued this item to the Special City Council meeting of August 29.

**F. UNFINISHED BUSINESS:**

None.



**G. NEW BUSINESS:**

1. Staffing request for full-time Staff Support for either the City Clerk's Office or the Recreation Division of the Community Services Department.
  - (1) Received transmittal dated August 4, 2005, Staffing Request for full time Staff Support for either the City Clerk's Office or the Recreation Division of the Community Services Department, from City Clerk Johnson.
  - (2) Council Member Emerson moved to authorize the hiring of a staff support person for either the City Clerk's Office or the Recreation Division of the Community Services Department. Motion seconded by Council Member Scattini and carried by a 4-0-1 vote, Council Member Johnson absent.
2. Staffing request for a full time Planning Manager.
  - (1) Received transmittal dated August 4, 2005, Planning Manager Full Time Staffing Request, from Interim Development Services Director Avera.
  - (2) Council Member Scattini moved to authorize the recruitment of a Planning Manager. Motion seconded by Council Member Emerson and carried by a 4-0-1 vote, Council Member Johnson absent.
3. Staff request for a full time Redevelopment Projects Coordinator.
  - (1) Received transmittal dated August 4, 2005, Redevelopment Projects Coordinator Full Time Staffing Request, from Development Services Director Avera.
  - (2) Council Member Pike moved to authorize the recruitment of a Redevelopment Projects Coordinator. Motion seconded by Council Member Scattini and carried by a 4-01- vote, Council Member Johnson absent.
4. Temporary staffing request for the Hollister Municipal Airport.
  - (1) Received transmittal dated August 4, 2005, Temporary staffing request for the Hollister Municipal Airport, from Airport Manager Gere.
  - (2) Council Member Emerson moved to authorize the hiring of temporary staff at the Hollister Municipal Airport. Motion seconded by Council Member Scattini and carried by a 4-0-1 vote, Council Member Johnson absent.

**H. MISCELLANEOUS:**

None.

City Council Regular Meeting  
August 15, 2005

**ADJOURNMENT:**

There being no further business to come before the City Council of the City of Hollister, the regular meeting of August 15, 2005, was adjourned at 8:23 p.m. by motion of Council Member Pike. Motion seconded by Council Member Emerson and carried by a 4-0-1 vote, Council Member Johnson absent.

Respectfully submitted,

Geri Johnson, CMC  
City Clerk